

S/N 10/531,146

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Hoehne et al.	Examiner:	Guy G. Anderson
Serial No.:	10/531,146	Group Art Unit:	2883
Filed:	March 29, 2006	Docket No.:	2316.2104USWO
Title:	DISTRIBUTOR SYSTEM AND METHOD FOR FIBRE OPTIC CABLES		

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants are herewith resubmitting a Request for Continued Examination and an Amendment and Response, which were previously submitted on July 7, 2008 and again on July 11, 2008. For reasons unknown to the Applicants, the attached documents were not received in PAIR as submitted. It is Applicants' understanding that the last page of the transmission was garbled.

Please replace the illegible Request for Continued Examination and the Amendment and Response with the attached pages. Also attached is the electronic filing receipt indicating receipt by the Patent Office of the Amendment and Request for Continued Examination on July 7, 2008.

The Examiner is invited to contact Applicants' representative at 612/336-4711 if any further questions arise.

Respectfully submitted,



MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date:

July 22, 2008

A handwritten signature in black ink, appearing to read "Steven C. Bruess". The signature is written over a horizontal line.

Steven C. Bruess
Reg. No. 34,130
SCB/JKS

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AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed February 7, 2008, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1-10. (Canceled)

11. (Currently Amended) A device comprising:

a housing defining a cavity, an opening at which a buffered fiber cable can be input into the housing, and at least one channel through which at least a first optical fiber of the buffered fiber cable can be fed, the housing including a spindle arranged adjacent the cavity;

a first cassette defining a groove having an open end and a closed end, the groove configured to receive the spindle through the open end to mount the first cassette within the cavity of the housing, the closed end of the groove cooperates with the spindle to form a pivot point about which the first cassette pivots, the first cassette being configured to receive and store an excess length of the first optical fiber, the first cassette also being configured to pivot about the pivot point from a first position, in which the first cassette is positioned within the cavity of the housing, to a second position, in which at least a portion of the first cassette is positioned outside the housing, the first cassette also being configured to be separated and removed from the housing by pivoting the first cassette to the second position and sliding the first cassette-spindle through the open end of the groove in a direction transverse to the spindle until the spindle passes through the open end of the groove;

wherein the excess length of the first optical fiber is sufficiently long to allow the separation and removal of the first cassette from the housing to a remote workstation.

12-13. (Canceled)

14. (Previously Presented) The device of claim 11, wherein the first cassette includes a first coupling element at which the first optical fiber can be optically coupled to a second optical fiber.

15. (Previously Presented) The device of claim 14, wherein the first coupling element is formed as a splicing unit.
16. (Previously Presented) The device of claim 14, wherein the first coupling element is configured to receive first and second plug-in contacts.
17. (Previously Presented) The device of claim 14, further comprising a second cassette configured to mount within the cavity of the housing, the second cassette having a second coupling element configured to receive and store a wound, excess length of at least a third optical fiber.
18. (Previously Presented) The device of claim 17, wherein the second cassette is pivotally mounted to the housing.
19. (Previously Presented) The device of claim 18, wherein the second cassette is removably mounted to the housing.
20. (Previously Presented) The device of claim 17, wherein the second optical fiber forms the buffered fiber cable with the first optical fiber.
21. (Previously Presented) The device of claim 17, wherein the second optical fiber forms a second buffered fiber cable separate from the first buffered fiber cable.
22. (Previously Presented) The device of claim 11, further comprising a plurality of cassettes configured to mount within the cavity of the housing.
23. (Previously Presented) The device of claim 11, wherein the first cassette includes at least a first guide element defining at least one path for receiving at least the first optical fiber, the

path defined by the guide element including a minimum radius of curvature greater than a minimum-permissible bend radius of the first optical fiber.

24-25. (Canceled)

26. (NEW) A device comprising:

a housing defining a cavity and a channel leading from an exterior of the housing to the cavity, the housing including a spindle arranged adjacent the cavity;

a first cassette pivotally mounted to the spindle of the housing, the first cassette including a splicing unit and at least one guide element, the first cassette defining a groove having an open end and a closed end, the groove being configured to receive the spindle of the housing through the open end to mount the first cassette within the cavity of the housing, the closed end of the groove cooperating with the spindle to form a pivot point about which the first cassette pivots, the first cassette being configured to pivot about the pivot point from a first position, in which the first cassette is positioned within the cavity of the housing, to a second position, in which at least a portion of the first cassette is positioned outside the housing, the first cassette also being configured to be separated and removed from the housing by pivoting the first cassette to the second position and sliding the spindle through the open end of the groove in a direction transverse to the spindle;

a first optical fiber extending through a channel in the housing to the first cassette, the first optical fiber being routed to the splicing unit by the guide element;

a second optical fiber extending through the channel in the housing to the first cassette, the second optical fiber being routed to the splicing unit by the guide element, wherein the second optical fiber is spliced to the first optical fiber and secured to the splicing unit of the first cassette.

REMARKS

The Examiner's comments from the Office Action mailed February 7, 2008 have been carefully considered. Claims 11 and 14-23 remain pending in the application and claim 26 has been newly added. Support for claim 26 can be found throughout the specification and figures. No new matter has been added.

Reexamination and allowance of the pending claims are respectfully requested.

Claim Rejections

Claim 11 has been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,946,440 to Puetz in view of U.S. Patent No. 6,909,833 to Henschel in further view of U.S. Patent No. 6,201,921 to Quesnel. Applicants respectfully traverse the rejection.

Claim 11 recites, in part, a first cassette defining a groove configured to receive a spindle of a housing through an open end of the groove. A closed end of the groove cooperates with the spindle to form a pivot point about which the first cassette pivots. The first cassette is configured to be separated and removed from the housing by pivoting the first cassette and sliding the first cassette in a direction transverse to the spindle until the spindle passes through the open end of the groove.

Applicants respectfully point out the prior art references must teach or suggest all of the claim limitations to provide a basis for a *prima facie* case of obviousness. MPEP 2143. None of the cited references, either alone or in combination, disclose or suggest a first cassette defining a groove having a closed end cooperating with a spindle of a housing to form a pivot point about which the first cassette pivots, the groove also having an open end through which the spindle passes when the first cassette is pivoted and slid in a direction transverse to the spindle to separate and remove the first cassette from the housing.

Puetz does not disclose or suggest a cassette defining an open ended groove through which a spindle may pass. In fact, the cassette in Puetz cannot be slid out of the housing. See *Puetz*, col. 5, ll. 27-33. Rather, the cassette defines an enclosed hinge pin opening 208. The Office Action notes the cassette 120 in Puetz can slide and pivot within the housing. However, the disclosed sliding and pivoting motion are not the motions recited in claim 11. The spindle

cannot slide through the hinge pin opening 208 in a direction transverse to the spindle. Rather, the cassette and the spindle to which the cassette attaches slide together with respect to the housing. No motivation is provided in Puetz or elsewhere to modify the pivot mechanism in Puetz to enable cassettes to be slid off the spindle or to be removed from the housing.

Henschel and Quesnel do not overcome the shortcomings of Puetz. Neither reference discloses a cassette configured to pivot about a spindle and to slide off the spindle. Rather, Henschel disclose a tray that can be slid out of the housing, but cannot pivot about a spindle. Quesnel also discloses a removable sliding drawer that does not pivot. Accordingly, neither of these references indicates how the pivoting cassette of Puetz can be modified to slide off the spindle of Puetz.

For at least these reasons, Puetz would not lead a person skilled in the art to the invention of claim 11, even in view of Henschel and Quesnel. Withdrawal of the rejection and allowance of claim 11 are respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claims 12-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Puetz in view of Henschel in further view of Quesnel. Applicants respectfully traverse the rejection.

Claims 12-23 depend from claim 11 and are allowable over the combination of Puetz, Henschel, and Quesnel for at least the same reasons as discussed above with respect to claim 11. Withdrawal of the rejection and allowance of claims 12-23 are respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

New Claims

Claim 26 has been newly added. Claim 26 recites, in part, a first cassette configured to be separated and removed from a housing by pivoting the first cassette and sliding a spindle of the housing in a direction transverse to the spindle through an open end of a groove defined in the first cassette.

To the extent the above rejections apply to claim 26, Applicants respectfully traverse the rejection.

None of the cited references disclose or suggest a first cassette configured to be separated and removed from a housing by pivoting the first cassette and sliding a spindle of the housing in a direction transverse to the spindle through an open end of a groove defined in the first cassette for at least the same reasons discussed above with respect to claim 11. Withdrawal of the rejection and allowance of claim 26 are respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Conclusion

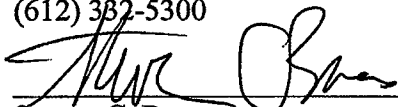
In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,



Date: July 7, 2008

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Steven C. Bruess
Reg. No. 34,130
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PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.136(a), it is respectfully requested that a two-month extension of time be granted in which to respond to the communication mailed February 7, 2008, the period of response being extended from May 7, 2008 to July 7, 2008.

Payment is being made via credit card in the amount of \$460.00 to cover the required fee for a large entity. Please charge any additional fees or credit any overpayment to Deposit Account. No. 13-2725.

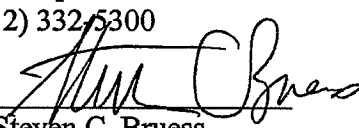
Respectfully submitted,

MERCHANT & GOULD P. C
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Date:

July 7, 2008

By:


Steven C. Bruess
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23552

PATENT TRADEMARK OFFICE

S/N 10/531,146

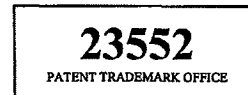
PATENT

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Serial No.:	10/531,146	Group Art Unit:	2883
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Title:	DISTRIBUTOR SYSTEM AND METHOD FOR FIBRE OPTIC CABLES		

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450



Dear Sir:

Under 37 C.F.R. §1.114, it is respectfully requested that this application be accorded the benefits of Continued Examination.

Payment is being made via credit card in the amount of \$810.00 to cover the required fee for a large entity. Please charge any additional fees or credit any overpayment to Deposit Account. No. 13-2725.

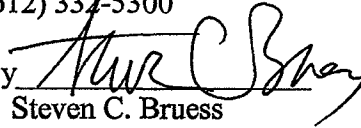
Respectfully submitted,

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Date:

July 7, 2008

By


Steven C. Bruess
Reg. No. 34,130
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Electronic Acknowledgement Receipt

EFS ID:	3576013
Application Number:	10531146
International Application Number:	
Confirmation Number:	4689
Title of Invention:	Distributor system and method for fibre optic cables
First Named Inventor/Applicant Name:	Elke Hoehne
Customer Number:	23552
Filer:	Steven C. Bruess/Rebecca Krueger
Filer Authorized By:	Steven C. Bruess
Attorney Docket Number:	2316.2104USWO
Receipt Date:	07-JUL-2008
Filing Date:	29-MAR-2006
Time Stamp:	17:44:27
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1270
RAM confirmation Number	3183
Deposit Account	132725
Authorized User	BRUESS,STEVEN C.

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Extension of Time	EXt-Time.PDF	94453 caf0b221a1ed6c8acd14ae90af42f665256afaf4	no	1

Warnings:**Information:**

2	Request for Continued Examination (RCE)	RCE.PDF	94258 9e50989480ecd67dfe35cd011d6d7f97e79555234	no	1
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Warnings:

This is not a USPTO supplied RCE SB30 form.

Information:

3		Amendment.PDF	325140 68c3229f77ae1af9b29e84d5e94a71dd44927b91	yes	7
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Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment Submitted/Entered with Filing of CPA/RCE	1	1
Claims	2	4
Applicant Arguments/Remarks Made in an Amendment	5	7

Warnings:**Information:**

4	Fee Worksheet (PTO-06)	fee-info.pdf	8339 cb57c4febeda4bde0272aaf5372d6247fa7a916b	no	2
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Warnings:**Information:**

Total Files Size (in bytes):			522190
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.